applications by reference on page 9. In addition, Applicants have executed and submitted a new Declaration containing references to these applications.

The Examiner objected to an extraneous line at the end of the Abstract. Applicants have amended the Abstract to remove the line.

The Office Action included a form PTO-948 setting forth objections to the figures. Since the objections are directed only to the form of the figures, Applicants request that the objections to the drawings be held in abeyance as per 37 C.F.R. § 1.111(b), until allowable subject matter is indicated.

Concurrent with this Response, Applicants submit an Information Disclosure Statement ("IDS"). Applicants respectfully request the Examiner to consider the documents cited in the IDS under the provisions of 37 CFR §1.97(c)(2).

In the Office Action, the Examiner rejected claims 1 and 2 as being obvious under 35 U.S.C. 103(a) over U.S. Patent No. 5,959,945 to Kleiman et al. ("Kleiman") in view of U.S. Patent No. 5,969,283 to Looney et al. ("Looney"). Applicants respectfully disagree.

Independent claim 1 recites a combination including, for example, "anti-piracy means for including a digital ID tag into the recorded music selections to identify the customer household at which the recording is made." In the Office Action, the Examiner admitted that Kleiman does not disclose "a central controller or central storage [that] has an ID tag (or ID) in the recorded music to identify the customer at which the recording is made." The Examiner asserted, however, that Looney, at Column 2, lines 51-54 discloses that:

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> individual songs can include a special code or identification that is keyed to the user's system's code...(which is equivalent to the limitation detailed above wherein said an ID tag or ID in the record music to identify the customer at which the recording is made)." *See* Office Action, p.6.

The Examiner then asserted that it would be obvious to modify the music distribution of Kleiman by including the membership customer ID of Looney. Applicants respectfully disagree. However, even if such a modification were made, the combined teachings would still not constitute the combination recited in claim 1. Looney states that "[t]he CD-ROM and/or individual songs can include a special code or identification that is keyed to the user's system's code. In this manner only the user's system can load the songs on its hard drive." See Col. 2, lines 51-54. Thus, the special code is present in the digital content when received by the music center of Looney. Looney therefore does not teach a combination including an "anti-piracy means for including a digital ID tag into the recorded music selections to identify the customer household at which the recording is made," as recited in claim 1.

Moreover, there is no teaching or suggestion in either Kleiman or Looney to modify the teachings therein to achieve the combination recited in claim 1. Since neither Kleiman nor Looney, taken singly or in any reasonable combination, teach the elements of Applicants invention as recited in claim 1, claim 1 is not obvious from these references. Applicants respectfully request the Examiner to withdraw the rejection of claim 1 under 35 U.S.C. 103(a) as being obvious over Kleiman and Looney.

In a similar manner, independent claim 2 contains a combination of steps reciting "including a digital ID tag in the recorded music to identify the customer household at which the recording is made." As noted above, the special code of Looney is present in

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the digital content when received by the music center of Looney. Thus, neither Kleiman nor Looney teach or suggest the step of including an ID tag in the recorded music in the manner recited in claim 2. Moreover, there is no teaching or suggestion in either Kleiman or Looney to modify the teachings therein to achieve the combination recited in claim 2. Since neither Kleiman nor Looney, taken singly or in any reasonable combination, teach the elements Applicants invention as recited in claim 2, claim 2 is not obvious from these references. Applicants respectfully request the Examiner to withdraw the rejection of claim 2 under 35 U.S.C. 103(a) as being obvious over Kleiman and Looney.

As noted above, a Preliminary Amendment filed October 18, 2001, added claims 3-33 to more appropriately claim the aspects of the invention. Applicants respectfully submit that claims 3-33 are allowable over the references cited by the Examiner.

Applicants have also added claims 34-51 to more appropriately claim the aspects of the invention. None of the references of record teach or suggest the combinations recited in claims 34-51. Applicants respectfully submit that these claims are, therefore, allowable over the references of record.

In view of the foregoing amendments and remarks, Applicants respectfully submit that this application is in condition for allowance. If the Examiner disagrees, Applicants request that the Examiner telephone the undersigned to schedule a personal interview prior to rendering a final rejection.

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Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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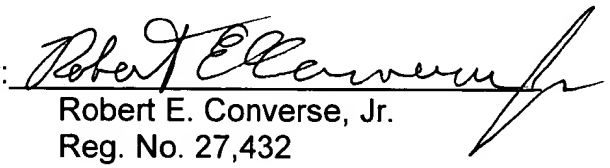
Dated: March 11, 2002

By: 
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